

Image 1651  
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PATENT

ATTORNEY DOCKET NO.: BAL-99A (16843A)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re. Application: Marshall, et al.	)	Art Unit: 1651
	)	
Serial No: 09/977,555	)	Examiner: Gitomer, Ralph J.
	)	
Filed: October 15, 2001	)	Acct. No: 04-1403
	)	
Title: Method For Detection Of Urease And Method For Using Same	)	Customer No: 22827
	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

LETTER

Dear Sir:

Please find enclosed a resubmission of an Information Disclosure Statement submitted in the above-referenced application on October 7, 2003. The actual date of receipt of this Information Disclosure Statement by the U.S. Patent and Trademark Office was October 10, 2003, as evidenced by the enclosed copy of the return receipt postcard. As the Notice of Allowance for this case was dated October 7, 2003, prior to receiving the Information Disclosure, this Information Disclosure Statement is hereby resubmitted per Rule 97(d) with certification per rule 97(e) and the filing fee per rule 17(p).

Once the disclosed references have been reviewed, it is requested that the Examiner place his initials next to the references on the list document and return a copy of the initialed list document to the undersigned to indicate that the references have been considered.

Th PRO did not receive the following  
listed items(s) MEDICAL RECORD  
FOR INFORMATION

An Information Disclosure Statement originally submitted in this application on November 13, 2002, was resubmitted in April 2003, by hand delivery to the U.S. Patent and Trademark Office. Another Information Disclosure Statement was submitted in this case on January 28, 2003, and an additional Information Disclosure Statement was submitted on April 28, 2003. As Applicant has not received initialed copies of these three Statements indicating that the references have been considered by the Examiner, Applicant's representative respectfully requests a copy of these initialed list documents.

Should the Examiner have any questions, he is invited to contact the undersigned at his convenience.

Respectfully submitted,

DORITY & MANNING, P.A.



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Registration No. 38,024

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Date: 11/5/07

The official stamp of the United States Patent and Trademark Office hereon acknowledges receipt of the following:

Check, IDS Cover Sheet, Form 1449, Related References (2)

RE: Marshall, et al.  
Title: Method For The Detection Of Urease And Methods  
For Using Same  
USSN: 09/977,555  
Filed: October 15, 2001  
Our Ref.: BAL-99A (16843A)

October 7, 2003



STAMP



INFORMATION DISCLOSURE STATEMENT

In re Application of Marshall, et al.

Attorney Docket No: BAL-99A (16843A)

Serial No: 09/977,555

Date: November 5, 2003

Filed: October 15, 2001

Art Unit: 1651

Confirmation No: 1969

Our Customer ID: 22827

Title: Method For The Detection Of Urease  
And Method For Using Same

Our Account No: 04-1403

Commissioner for Patents  
U.S. Patent and Trademark Office  
Post Office Box 1450  
Alexandria, VA 22313-1450

Sir:

The following is an Information Disclosure Statement for the captioned patent application, pursuant to 37 CFR Sections 1.56, 1.97, and 1.98.

1.[x] Attached hereto is:

- a.[x] A list of materials for consideration per Rule 98(a)(1): 1 page(s)
- b.[x] A legible copy of each patent, publication, or other item listed per Rule 98(1)(2), unless not required per Rule 98 and/or as indicated on the attached list(s):  
2 item(s)
- c.[ ] For each non-English language item listed, pursuant to Rule 98(a)(3), a concise explanation of the relevance thereof as it is presently understood by the individual designated in Rule 56(c) most knowledgeable about the content of such items: \_\_\_\_\_

[ ] Such explanation is provided in the Search Report from a corresponding application enclosed herewith along with any enclosed translation into English.

2.[x] This Information Disclosure Statement is being filed [CHECK ONE]:

- a.[ ] WITHIN THREE MONTHS of the application filing date, national stage date of entry, or along with or after a request for continued examination, OR BEFORE the mailing date of a first Office Action on the merits, which ever event occurs last, WHEREFORE per Rule 97(b) NO filing fee or Rule 97(e) certificate is required.
- b.[ ] AFTER the time periods of section 2.a above, but BEFORE a Final Action, Notice of Allowance OR an action that otherwise closes prosecution, WHEREFORE PER Rule 97(c) submitted herewith is [CHECK ONE]:
- i.[ ] Certification per Rule 97(e); OR
- ii.[ ] Filing Fee per Rule 17(p) .....\$180.00
- c.[x] AFTER a Final Action OR Notice of Allowance, but BEFORE payment of the issue fee, WHEREFORE per Rule 97(d) submitted herewith is:
- i. Certification per Rule 97(e); AND
- ii. Filing fee per Rule 17(p) .....\$180.00

3.[x] Rule 97(e) Certification; per Rule 97(e), the undersigned certifying party make the following certification statement [CHECK ONE]:

- a.[x] That each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; OR
- b.[ ] That no item of information contained in this Information Disclosure Statement was cited in a foreign patent office in a counterpart foreign application and to the knowledge of the undersigned after making a reasonable inquiry, was known to any individual designated in Rule 56(c) more than three months prior to the filing of this statement.

CERTIFYING PARTY (if different from bottom signature; omission here indicates that certification is being made by signer per signature below).

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Signature: \_\_\_\_\_  
Date: \_\_\_\_\_

- 4.[x] DEPOSIT ACCOUNT AUTHORIZATION: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the issue fee in this case.
- 5.[x] CERTIFICATE OF MAILING: This Information Disclosure Statement is being filed pursuant to [CHECK AND COMPLETE ONE]:

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Sandra S. Perkins

(Typed/printed name of person mailing paper or fee)

  
(Signature of person mailing paper or fee)

b.[ ] "Express Mail" Certificate under Rule 10:

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(Signature of person mailing paper or fee)

ADDRESS:

Post Office Box 1449  
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DORITY & MANNING, P.A.

By: Timothy A. Cassidy

Reg. No: 38,024

Signature: 

Date: November 5, 2003



(Rev. 5/92) Information Disclosure Statement List By Applicant(s) Under 37 CFR Section 1.98(a) (1) (Use several sheets if necessary)	Attorney Docket Number: BAL-99A (16843A)	Serial Number: 09/977,555
	Applicant: Marshall, et al.	
	Filing Date: October 15, 2001 Confirmation No: 1969	Group Art Unit: 1651

- NOTE: If no indication is made in the column marked "COPY NOTE," the required legible copy of the corresponding item is submitted herewith; otherwise, a copy is not required and/or not submitted, for the following reason(s) [corresponding reason number is listed in "COPY NOTE" column]"
- (1) This item is cumulative, per Rule 98(c)
  - (2) A copy of this item was previously cited by or submitted to the U.S. Patent and Trademark Office in:  
USSN \_\_\_\_\_, filed \_\_\_\_\_, or  
USSN \_\_\_\_\_, filed \_\_\_\_\_;  
Relied on under 35 U.S.C. Section 120, per Rule 98(d)
  - (3) Both reasons (1) and (2) apply
  - (4) No legible complete copy is possessed, in custody of controlled, or readily available
  - (5) Per the U.S. Patent and Trademark Office's waiver of Rule 98(a)(2)(i), the item is a U.S. patent or patent application publication, and the present application was filed after June 30, 2003.

U.S. PATENT DOCUMENTS												
EXAMINER INITIALS		PATENTEE NAME		PATENT NUMBER							ISSUE DATE	COPY NOTE
		Aylen, et al.		5	7	8	2	9	5	1	07/21/1998	

FOREIGN PATENT DOCUMENTS															
EXAMINER INITIALS		COUNTRY	DOCUMENT NUMBER								PUBLICATION DATE	TRANSLATION			COPY NOTE
												YES	NO	N/A	
		EP	0	8	9	6	5	4	7		11/06/1997			X	1

\*"NO" means that no copy of an English language translation is within the possession, custody, or control of, or is readily available to any individual designated in Rule 56(c).

EXAMINER INITIALS	OTHER DOCUMENTS Specify author (if any), Title, Pertinent Pages, Date & Place of Publication	COPY NOTE
EXAMINER	DATE CONSIDERED	
Examiner: initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.		